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Attorneys for Debtors and Reorganized Debtors

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re:

PG&E CORPORATION,

- and -

**PACIFIC GAS AND ELECTRIC
COMPANY,**

Debtors.

- ☐ Affects PG&E Corporation
☐ Affects Pacific Gas and Electric Company
☒ Affects both Debtors

** All papers shall be filed in the Lead Case,
No. 19-30088 (DM).*

Bankruptcy Case No. 19-30088 (DM)

Chapter 11
(Lead Case) (Jointly Administered)

**DECLARATION OF THOMAS B. RUPP IN
SUPPORT OF REORGANIZED DEBTORS'
STATUS CONFERENCE STATEMENT
REGARDING REORGANIZED DEBTORS'
OBJECTION TO AMENDED PROOF OF
CLAIM NO. 108715 FILED BY DAVID P.
ADDINGTON**

[Related to Docket No. 12948]

Date: January 10, 2023
Time: 10:00 a.m. (Pacific Time)
Place: (Zoom Videoconference Appearances Only)
United States Bankruptcy Court
Courtroom 17, 16th Floor
San Francisco, CA 94102

1 I, Thomas B. Rupp, pursuant to section 1746 of title 28 of the United States Code, hereby declare
2 under penalty of perjury that the following is true and correct to the best of my knowledge, information,
3 and belief:

4 1. I am an attorney with Keller Benvenuti Kim LLP, co-counsel to the Reorganized Debtors
5 in the above captioned Chapter 11 Cases. I am licensed to practice law in the State of California and
6 admitted to practice before the United States District Court for the Northern District of California. I
7 submit this Declaration in support of the *Status Conference Statement Regarding Reorganized Debtors’*
8 *Objection to Amended Proof of Claim No. 108715 Filed by David P. Addington* (the “**Status Conference**
9 **Statement**”), filed contemporaneously herewith.

10 2. If called upon to testify, I would testify competently to the facts set forth in this
11 declaration. I am authorized to submit this declaration on behalf of the Reorganized Debtors.

12 3. Since the December 13, 2022 status conference and through the holidays, I have been
13 communicating regularly with Mr. Addington in an effort to reach a stipulation with respect to the
14 process and timing of litigating his claims in these Chapter 11 Cases.

15 4. On December 16, 2022, I sent Mr. Addington a letter addressing a number of issues
16 raised at the December 13, 2022 status conference. A true and correct copy of my letter is attached
17 hereto as **Exhibit A**.

18 5. On December 19, 2022, I received a responsive letter from Mr. Addington in which he
19 stated his intention “to file a second amended proof of claim based on the document production recently
20 made by PG&E.” He proposed to share a draft of the amended proof of claim with PG&E by January 16,
21 2023. Later that day, Mr. Addington reiterated his intention and proposed timing to me by telephone.
22 A true and correct copy of Mr. Addington’s December 19, 2022 letter is attached hereto as **Exhibit B**.

23 6. On December 30, 2022, I received an e-mail from Mr. Addington in which he suggested
24 that that he had not yet decided whether he would “seek to amend [his] claim such that the issues raised
25 in the summary judgment motion are no longer applicable or attempt to refute the rational[e](s) for
26 dismissal or some combination of these two things.” A true and correct copy of Mr. Addington’s
27 December 30, 2022 e-mail is attached hereto as **Exhibit C**.

28 7. On Friday, January 6, Mr. Addington indicated to me that he would agree to the terms

1 and schedule set forth in Section IV of the Status Conference Statement, and execution copies of a
2 stipulation and proposed order were sent to Mr. Addington on the morning of Saturday, January 7.
3 However, on the evening of Sunday, January 8, Mr. Addington e-mailed me to express his objection to
4 the condition that he would not seek to file any further amended claims in these Chapter 11 Cases except
5 pursuant to the stipulated schedule, despite his not previously raising this issue when the same term was
6 included in every previous draft stipulation shared with him.

7
8 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and
9 correct to the best of my knowledge, information, and belief. Executed this 9th day of January, 2023,
10 in Sunnyvale, California.

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12 By: /s/ Thomas B. Rupp
13 Thomas B. Rupp
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